

MONTANA LEGISLATIVE HISTORY

Chapter 419 19 91

Bill H 590 S _____ Original bill & history C

H. Committee on Highways & Transportation

Hearing Date(s) Feb 19 ☒ C

_____ C

_____ C

_____ C

Date Out _____ C

S. Committee on Highways & Transportation

Hearing Date(s) March 26 ☒ C

_____ C

_____ C

_____ C

Did this bill originate in an interim committee? Yes No

Committee _____

Report _____

HOUSE FINAL STATUS

HB 571

	TRANSMITTED TO SENATE		
4/29	2ND READING GOVERNOR'S AMENDMENTS		
	CONCURRED	48	0
4/29	3RD READING GOVERNOR'S AMENDMENTS		
	CONCURRED	48	0
	RETURNED TO HOUSE		
5/03	SIGNED BY SPEAKER		
5/03	SIGNED BY PRESIDENT		
5/03	TRANSMITTED TO GOVERNOR		
5/16	SIGNED BY GOVERNOR		
	CHAPTER NUMBER 753		
	EFFECTIVE DATE: 7/01/91		

HB 570 INTRODUCED BY J. RICE

REVISE DRIVER'S LICENSE RE-EXAM AND
DUTY OF SIGNER FOR MINOR APPLICANT
BY REQUEST OF DEPARTMENT OF JUSTICE

2/02	INTRODUCED		
2/02	REFERRED TO HIGHWAYS & TRANSPORTATION		
2/04	FIRST READING		
2/19	HEARING		
2/20	COMMITTEE REPORT—BILL PASSED		
2/23	2ND READING PASSED	98	0
2/26	3RD READING PASSED	96	3
	TRANSMITTED TO SENATE		
2/26	FIRST READING		
2/26	REFERRED TO HIGHWAYS & TRANSPORTATION		
3/26	HEARING		
3/27	COMMITTEE REPORT—BILL CONCURRED		
4/03	2ND READING CONCURRED	50	0
4/04	3RD READING CONCURRED	50	0
	RETURNED TO HOUSE		
4/11	SIGNED BY SPEAKER		
4/11	SIGNED BY PRESIDENT		
4/11	TRANSMITTED TO GOVERNOR		
4/15	SIGNED BY GOVERNOR		
	CHAPTER NUMBER 419		
	EFFECTIVE DATE: 10/01/91		

HB 571 INTRODUCED BY J. RICE

REVISION TO MOTOR VEHICLE HABITUAL OFFENDER STATUTES
BY REQUEST OF DEPARTMENT OF JUSTICE

2/02	INTRODUCED		
2/02	REFERRED TO HIGHWAYS & TRANSPORTATION		
2/04	FIRST READING		
2/19	HEARING		
2/25	COMMITTEE REPORT—BILL PASSED		
2/26	2ND READING PASSED	91	9
2/27	3RD READING PASSED	92	7
	TRANSMITTED TO SENATE		
2/27	REFERRED TO JUDICIARY		
3/04	FIRST READING		
3/25	HEARING		
3/25	COMMITTEE REPORT—BILL CONCURRED		
3/28	2ND READING CONCURRED	49	0
4/01	3RD READING CONCURRED	49	0
	RETURNED TO HOUSE		
4/03	SIGNED BY SPEAKER		
4/03	SIGNED BY PRESIDENT		
4/04	TRANSMITTED TO GOVERNOR		

1 *HOUSE* BILL NO. *570*
 2 INTRODUCED BY *Shia*
 3 BY REQUEST OF THE DEPARTMENT OF JUSTICE
 4
 5 A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE VARIOUS
 6 DRIVER LICENSING STATUTES TO PROVIDE EITHER AN EXAMINATION
 7 OR AN INVESTIGATION IN CASES OF DRIVER'S LICENSE
 8 REEXAMINATION; TO REQUIRE THAT COURT ABSTRACTS OR REPORTS OF
 9 CONVICTION RECEIVED BY THE DEPARTMENT NAMING INDIVIDUALS
 10 LICENSED IN ANOTHER JURISDICTION BE FORWARDED TO THE
 11 JURISDICTION OF LICENSURE WITHOUT ACTION AGAINST THE
 12 DRIVER'S LICENSE OR DRIVING PRIVILEGE; TO CLARIFY AND
 13 SIMPLIFY THE RESPONSIBILITY OF PERSONS SIGNING DRIVER'S
 14 LICENSE APPLICATIONS FOR MINORS; AND AMENDING SECTIONS
 15 37-2-311, 61-5-108, 61-5-207, AND 61-5-405, MCA."

16
 17 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

18 **Section 1.** Section 37-2-311, MCA, is amended to read:

19 "37-2-311. Report to department of justice by
 20 physician. (1) Any physician who diagnoses a physical or
 21 mental condition that, in the physician's judgment, will
 22 significantly impair a person's ability to safely operate a
 23 motor vehicle may voluntarily report the person's name and
 24 other information relevant to his condition to the
 25 department of justice. The department, upon receiving the

1 report, shall require the person so reported to be examined
 2 ~~in-the-manner or investigated as provided for in 61-5-110~~
 3 ~~and 61-5-207.~~

4 (2) (a) The physician's report may be introduced as
 5 evidence in any proceeding involving the granting,
 6 suspension, or revocation of the person's driver's license,
 7 driving privilege, or commercial motor vehicle operator's
 8 endorsement before the department or a court.

9 (b) The physician's report may not be utilized in a
 10 criminal proceeding or in a civil proceeding, other than as
 11 provided in this subsection, without the consent of the
 12 patient."

13 **Section 2.** Section 61-5-108, MCA, is amended to read:

14 "61-5-108. Application of minors -- imputed liability.
 15 (1) The application of any person under the age of 18 years
 16 for an instruction permit or driver's license shall be
 17 signed and verified before a person authorized to administer
 18 oaths or an employee of the department by ~~both-the-father~~
 19 ~~and-mother a parent~~ of the applicant, ~~if-both-are-living-and~~
 20 ~~have-custody-of-him,-or-by-the-surviving-parent,-or--in--the~~
 21 ~~event--neither--parent-is-living-or-has-custody,-then-by-the~~
 22 ~~person-or-guardian-having-such-custody-or-by-an-employer--of~~
 23 ~~such-minor,-or-in-the-event-there-is-no-guardian-or-employer~~
 24 ~~then or, if none is available,~~ by some other responsible
 25 person adult who is willing to assume the obligation imposed

1 under this chapter upon a person signing the application of
2 a minor.

3 (2) Any negligence or willful misconduct of a minor
4 under the age of 18 years when driving a motor vehicle upon
5 a highway shall be imputed to a person who has signed the
6 application of such the minor for a permit or license, which
7 person shall be jointly and severally liable with such the
8 minor for any damages caused by such the negligence or
9 willful misconduct, unless a motor vehicle liability policy,
10 as provided for in chapter 6 of this title, covering the
11 minor is in effect, in which case there is no imputed
12 liability as described in this section, except-as--otherwise
13 provided-in-subsection-(3)-of-this-section:

14 ~~{3}--In-the-event-a-minor-deposits-or-there-is-deposited~~
15 ~~upon-his-behalf-proof-of-financial-responsibility-in-respect~~
16 ~~to--the-operation-of-a-motor-vehicle-owned-by-him;--or-if-not~~
17 ~~the-owner-of-a-motor--vehicle;--then--with--respect--to--the~~
18 ~~operation--of--any--motor-vehicle;--in-form-and-in-amounts-as~~
19 ~~required-under-the-motor--vehicle--financial--responsibility~~
20 ~~laws--of--this--state;--then--the--department-may-accept-the~~
21 ~~application-of-such-minor-when-signed-by-one-parent--or--the~~
22 ~~guardian--of--such-minor;--and-while-such-proof-is-maintained~~
23 ~~such--parent--or--guardian--shall--not--be--subject--to--the~~
24 ~~liability-imposed-under-subsection-(2)-of-this-section."~~

25 **Section 3.** Section 61-5-207, MCA, is amended to read:

1 ***61-5-207. Reexamination or investigation -- when**
2 **required.** The department, having good cause to believe that
3 a licensed driver is incompetent or otherwise not qualified
4 to be licensed or to have a commercial vehicle operator's
5 endorsement, may, based on information received, investigate
6 the licensee's record, physical or mental condition, or need
7 for a license or, upon written notice of at least 5 days to
8 the licensee, require him to submit to an examination. Upon
9 the conclusion of such the investigation or examination the
10 department shall take action as may be appropriate
11 considering the facts reported or discovered and may suspend
12 or revoke the license and commercial vehicle operator's
13 endorsement or just the commercial vehicle operator's
14 endorsement of such person or permit him to retain such
15 license, or may issue a license subject to restrictions as
16 permitted under 61-5-113. Refusal or neglect of the licensee
17 to submit to such examination or investigation shall be
18 ground for suspension or revocation of his license."

19 **Section 4.** Section 61-5-405, MCA, is amended to read:

20 ***61-5-405.** Offenses furnishing ground for suspension or
21 revocation of license -- return to licensing jurisdiction of
22 abstracts of court records and reports of conviction. (1)
23 Items enumerated in Article IV(1), subsections (a), (b),
24 (c), and (d) of 61-5-401 refer specifically to 45-5-103,
25 45-5-104, 61-8-401, 45-2-101(21), and 61-7-103,

1 respectively.

2 (2) In addition to convictions mentioned above the
3 department, for the purpose of suspension, revocation, or
4 limitation of the license to operate a motor vehicle, shall
5 give the same effect to the conduct reported as it would if
6 such conduct had occurred in this state for:

7 (a) convictions of perjury or the making of a false
8 affidavit relating to the ownership or operation of a motor
9 vehicle (61-5-303); and

10 (b) three convictions of reckless driving committed
11 within a period of 12 months (61-8-301).

12 (3) Court abstracts or reports of conviction received
13 by the department that name an individual licensed in
14 another jurisdiction must be forwarded to the jurisdiction
15 of licensure. The department may not take action against the
16 driver's license or driving privilege of the individual as
17 may be required elsewhere in this title."

-End-

HEARING ON HB 570Presentation and Opening Statement by Sponsor:

REP. JIM RICE, House District 43, East Helena, is an act to revise various driver licensing statutes. Sections 1 and 3 of the bill authorizes the Department of Justice to do an investigation upon receiving a complaint about someone's ability to drive. When someone receives a complaint about a person who is an unsafe driver, they are forced to issue that person a notice and demand a re-examination to re-take the driver's test. It can be traumatic for most people, and this bill ask for the opportunity to see if they can make a determination without the necessity of sending a notice and demanding the person come to the driver's station. Section 2 re-clarifies the liability statute in response to a Montana Supreme Court statute in regard to minors who are issued driver's licenses. Section 4 addresses the departments procedures in regards to convictions of people that are from out-of-state.

Proponents' Testimony:

Peter Funk, Attorney General's Office, said the four bills that REP. RICE has before the committee today are clean-up bills in four separate areas of the department. This bill deals specifically to the issuance of driver's license. Sections 1 and 3 allows people, i.e., Doctors, to write notes to the department when there is a concern about someone's driving ability based on their physical condition. The department does not want to be limited to giving these people a driving examination, e.g., a seizure disorder that is controlled by medication. The statute as currently written when medical information is received about someone, a card is sent that asks that person to come in for a driving test. Most of the time more information is needed from the Doctor and not give a driving test. The two sections allows the department the ability to either give the driver's examination or acquire more information from the Doctor. Section 2 addresses the process by which an adult consents to the licensing of a minor in the state. A teenager cannot receive a driver's license without the consent of an adult. The current statute says "to any adult who signs the driver's license", is liable if that teenage driver gets into any trouble. There isn't any anticipation in the existing statute for divorces with joint custody. With divorce rates reaching 50% in this society, the department is dealing with divorced parents that have joint custody. A signature is required of both parents, and when there is a case of joint custody it creates a problem. He said divorced parents should not be forced to deal with an issue like this. This bill identifies an adult who is financially responsible for that teenagers behavior. The signature of one parent is required or whomever has legal custody. On page 3, the language conforms to a 4 year old Montana Supreme Court case. It states that whenever a minor is involve in an automobile accident and liability insurance is in effect, the people that signed that

minor's application for a driver's license will never be held reliable. By inserting the language in subsection 2, lines 9 through 12, and deleting the language in subsection 3, it will do 2 things: 1) included the liability shield; and 2) let the department know when they could accept the signature of one parent as opposed to both parents. The language in section 4 states that when an out-of-state residence commits a traffic offense in Montana, and the department receives a report from the sentencing court, this bill will allow the department to send a copy of that report to the non-residence home state. The offenders would still go before the local Justice of the Peace, etc. to receive their sentences. When that report of conviction arrives at the department, instead of suspending a persons privilege to drive, let the state of residence do the sentencing.

Rich Brown, Administrator, Montana Veteran's Affairs Division, said he supports HB 570. The division is finding it difficult under current law to get the signature of both parents when one of the parents is in Saudi Arabia or Iraq.

Opponents' Testimony: None

Questions From Committee Members:

REP. ELLIS asked if the department also receive reports of blood levels of drugs. Mr. Funk said he has never seen that situation. There is a statutory provision which states in terms of driver's license being denied to someone that is an habitual drug addict.

CHAIRMAN STANG asked if a report is received from a Doctor to revoke the license of a senior citizen, can the license be automatically be taken away or can that person petition to make the department give them a test. Mr. Funk said a letter is written to ask that person to either submit to a driver's examination or if the condition was reported as a medical situation, than they would ask that person to submit a Doctor's statement. If they do not provide this information in a 30 day period they will be informed that their license will be suspended. CHAIRMAN STANG asked what the current law is for the parent who is liable for their child versus what this bill will do. Mr. Funk said he didn't think there was any difference. All this bill does is recognize that only one person needs to sign instead of two. If there is only one signature on the application, that person will be responsible, if there are two signatures, they would both be responsible. The statute does not say parent, it says the person signing the application is responsible.

REP. STEPLER wanted to know what happened to patient/Doctor confidentiality, without the patient's consent, can the Doctor report this. Mr. Funk said an argument could be made with the statutory provision to create some kind of an exception. He said they do not receive a large amount of these requests, but the ones they have received are detrimental enough that the Doctor

felt it needed to be done. REP. STEPPLER said once the reports are in the department and in the computer, would those reports be available to all who access those records. Mr. Funk that is not the case here. There is a listing in the statute about what constitutes a driving record. It is a different sort of identifying information that is actually included on the driver's license, records of convictions, and suspension actions.

Closing by Sponsor:

REP. RICE wanted to clarify a couple of points on confidentiality: 1) there is a statute on the books now that is not included in the bill that states when a Doctor diagnosis's a condition that would impair a person to safely operate a motor vehicle, he can voluntarily report for that person. He said there is a section that gives the Doctor immunity from liability for reporting that information, except as the statute states for damages occasion by gross negligence. The report is encouraged under state law, but is not mandatory under state law. He said it would be fine with the department for the committee to define where they want the liability to fall for the teenager drivers.

HEARING ON HB 571

Presentation and Opening Statement by Sponsor:

REP. JIM RICE, House District 43, East Helena, said this bill addresses the habitual traffic offender portion of the Motor Vehicle Law. Sections 1 and 2 are technical changes and does not change the law. The main part is section 3, which increases the administrative penalty for operating a motor vehicle while a person's license are suspended, i.e., declares a person as a habitual traffic offender. Administratively, the only thing that can happen now, is another 2 points are added to the cumulative total. This allows the penalty for a revoked license to be extended for an addition 1 year.

Proponents' Testimony:

Peter Funk, Attorney General's Office, said this bill is designed to deal with the habitual traffic offenders. These are people that accumulate statutory definition points, which is 30 conviction points in a 36 month period, i.e., 3 DUI's, 10 points a piece. A lot of speeding tickets at 2 and 3 points will do it. This bill is a cleanup of a few minor changes in the existing statutes. In sections 1 and 2, it states that the statutory provision allows for this person to go through a driver's improvement program, and than issued a probationary license pending the completion of their original period of suspension. In the habitual traffic offender context, the existing language says these peoples license will be revoked for 3 years. In section 2 is the language that states, may not be issued a license to operate a motor vehicle in this state until a period of 3 years has passed. These statutory provisions are

Discussion: REP. LARSON moved to adopt amendment. EXHIBIT 5
REP. FELAND said he is against the bill. It will allow the PSC
onto private property. The GVW is out there now, this is not
needed.

REP. LARSON asked if Ms. Lane could explain any substantive
changes the amendment makes. Ms. Lane said the amendments put
back the language that was deleted in section 1, of the original
bill. It puts back existing language on lines 23 and 24. The
next change is on page 3, where it defines regular route to
include private roads going in between public roads. It takes
out the rest of the amendments in the bill. On page 8, line 25,
the word "public" is placed back into the bill, and "or
connecting private roads or ways" is added in, which means that
the PSC would have authority over regulated carriers on the
private roads as well as public roads.

REP. MCCULLOCH called the question to adopt amendment. Voice
vote was taken. Motion CARRIED unanimously.

REP. FOSTER asked if Wayne Budt, PSC, could address REP. FELAND'S
concerns. Mr. Budt said that private land is in the bill now,
and didn't think this would be an issue to exception. This is
done now, it just gives the PSC the authority to enforce what
they are doing now. He views this authority to be used only when
there is a complaint, and will not be patrolling the private land
trying to find violations.

Motion/Vote: REP. MCCULLOCH MADE A SUBSTITUTE MOTION THAT HB 867
DO PASS AS AMENDED. Question was called. Roll call vote was
taken. EXHIBIT 10

Vote: HB 867 DO PASS AS AMENDED. Motion CARRIED 9 to 8.

EXECUTIVE ACTION ON HB 571

Motion: REP. CLARK MOVED HB 571 DO PASS.

Motion/Vote: REP. KNOX called the question. Voice vote was
taken.

Vote: HB 571 DO PASS. Motion CARRIED to 3 with REP.
DEBRUYCKER, REP. NELSON and REP. FELAND voting no.

EXECUTIVE ACTION ON HB 570

Motion: REP. TOOLE MOVED HB 570 DO PASS.

Discussion: REP. TOOLE said he was concerned about obtaining two
signatures for two types of coverage. He didn't think it would
reduce the coverage and felt this was a clean up bill.

Vote: HB 570 DO PASS. Motion CARRIED 9 to 8. EXHIBIT 11

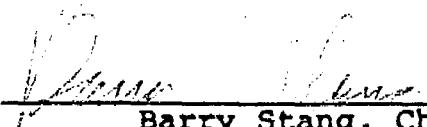
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103

HOUSE STANDING COMMITTEE REPORT

February 20, 1991

Page 1 of 1

Mr. Speaker: We, the committee on Highways and Transportation report that House Bill 570 (first reading copy -- white) do pass .

Signed: 

Barry Stang, Chairman

EXHIBIT 11
DATE 2-19-91
HB 570

HOUSE OF REPRESENTATIVES
HIGHWAYS AND TRANSPORTATION COMMITTEE

ROLL CALL VOTE

DATE 2-21-91 BILL NO. 570 NUMBER _____

MOTION: Do PASS CARRIED 9-8

NAME	AYE	NO
REP. FLOYD "BOB" GERVAIS, VICE-CHAIRMAN	✓	
REP. ERNEST BERGSAGEL		✓
REP. ROBERT CLARK		✓
REP. JANE DEBRUYCKER	✓	
REP. ALVIN ELLIS, JR.		✓
REP. GARY FELAND	✓	
REP. MIKE FOSTER		✓
REP. PATRICK GALVIN	✓	
REP. DICK KNOX		✓
REP. DON LARSON		✓
REP. SCOTT MCCULLOCH	✓	
REP. JIM MADISON	✓	
REP. LINDA NELSON		✓
REP. DON STEPPLER	✓	
REP. HOWARD TOOLE	✓	
REP. ROLPH TUNBY		✓
REP. BARRY "SPOOK" STANG, CHAIRMAN	✓	
TOTAL	9	8

HOUSE OF REPRESENTATIVES
VISITOR REGISTER

Always COMMITTEE BILL NO. HB 570
DATE 2-19-91 SPONSOR(S) J. Rice

PLEASE PRINT

PLEASE PRINT

PLEASE PRINT

NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
<u>Anita Drews</u>	<u>dept of justice driver services</u>	<u>X</u>	
<u>DARRELL Beckstrom</u>	<u>DRIVER IMPROVEMENT</u>	<u>X</u>	
<u>Rick Brown</u>	<u>MT Board of Vet. Affairs</u>	<u>X</u>	
<u>Peter Funk</u>	<u>Dept. of Justice</u>	<u>X</u>	

PLEASE LEAVE PREPARED TESTIMONY WITH SECRETARY. WITNESS STATEMENT FORMS
ARE AVAILABLE IF YOU CARE TO SUBMIT WRITTEN TESTIMONY.

HEARING ON HOUSE BILL 570Presentation and Opening Statement by Sponsor:

REPRESENTATIVE JIM RICE, District #43, opened the hearing on HB 570. This bill addresses several functions of the Motor Vehicle Division of the Department of Justice. Sections 1 and 3 address the problem of the Division receiving a report that a person no longer has the ability to drive. By law the Division must follow up and the only option they have is to notify the person to retake the examination. The bill will allow the Division to have an investigation. Section 2 reclarifies the liability of when a minor applies for a driver's license. It will clear up the problem of a minor applying for a license requiring that the parents sign. In the case of divorce, it has created difficulties in getting a parent's signature. This section allows that a "responsible adult" be the person to sign off for the minor. Section 4 addresses the responsibility for people who are caught with driving offenses from out of state. It will allow those in the Department trying to take action against the out-of-state person to refer it back to the jurisdiction of where the person is from. (SEE EXHIBIT 13)

Proponents' Testimony:

PETER FUNK, Assistant Attorney General, stated they support HB 570. There are three primaries in the bill. Sections 1 and 3 are linked together. In the existing statutes, section 1 concerns a provision in title 37 which allows medical doctors to report when they have a concern about a licensed driver and report it to the Department of Justice. The statute embodied in section 3 tells the Department of Justice what to do when they get this type of report. With the existing statutory language focused on the term "examination" there is an argument out there that the Department does not have any right to ask the licensed driver to provide additional information. This bill is an amendment to the statutes to conform to the existing practice. Section 4 eliminates the State of Montana taking licensing actions against a nonresident when a traffic citation is received in Montana. Under the existing language the Department is required to suspend the privilege to drive if the out of state driver commits an offense. A nonresident who has been suspended by Montana is required to be physically present in the State of Montana. For example, in order to get back your driver's license for a DUI you have to attend court school. The Department feels that the Department of Licensing needs a report that this person has committed this particular offense in Montana and let that person have their license suspended in their own State. This change will do nothing in terms of the criminal sentence that is imposed by the sentencing court. This is an administrative licensing action. Section 2 requires that an adult sign for a minor, which is imputed liability on that adult who signed the minor's driver's license.

PETER FUNK informed the Committee that the statutes have not been amended for years. They really don't reflect, whether fortunate or unfortunate, that there are numerous adults divorced with joint custody. Mr. Funk stated that when the parents are still warring over the divorce and one approves and the other does not approve the driver's license, the person who suffers is the minor. In section 2, it asks for a signature from one of the parents or a responsible adult. The insurance agencies are not opposed to this bill. They do not feel that this change will effect the liability.

Opponents' Testimony:

None.

Questions From Committee Members:

None.

Closing by Sponsor:

REPRESENTATIVE RICE closed the hearing on HB 570.

HEARING ON HOUSE BILL 638

Presentation and Opening Statement by Sponsor:

REPRESENTATIVE TED SCHYE, District #18, stated that HB 638 is a repealer dealing with deregulation of the airlines. There are many regulations on the books which deal with aeronautics and the airlines that don't apply anymore. (SEE EXHIBIT 14)

Proponents' Testimony:

MIKE FERGUSON, Administrator of the Aeronautics Division, stated the repealer relates to the Aeronautics Board's previous quasi-judicial authority over airline certificates of public convenience and necessity. These statutes are moot since 1978 airline deregulation act and has been upheld in the courts of appeal as well from other states who have challenged these.

Opponents' Testimony:

None.

Questions From Committee Members:

None.

Closing by Sponsor:

REPRESENTATIVE SCHYE closed the hearing on HB 638.

EXECUTIVE ACTION ON HOUSE BILL 638

Motion:

SENATOR HARP MOVED that HOUSE BILL 638 BE CONCURRED IN.

Discussion:

SENATOR HARP will carry HB 638.

Recommendation and Vote:

MOTION PASSED UNANIMOUSLY that HB 638 BE CONCURRED IN.

EXECUTIVE ACTION ON HOUSE BILL 570

Motion:

SENATOR NOBLE MOVED that HB 570 BE CONCURRED IN

Discussion:

SENATOR NOBLE will carry HB 570.

Recommendation and Vote:

MOTION PASSED UNANIMOUSLY that HB 570 BE CONCURRED IN.

HEARING ON HOUSE BILL 705

Presentation and Opening Statement by Sponsor:

REPRESENTATIVE PATRICK GALVIN, District # 40, informed the Committee that his bill exempts a locomotive engineer when involved in an accident with a motor vehicle at a grade crossing from being required to show his driver's license. Noting such accidents on an engineer's driver's license record can cause his personal automobile insurance premiums to increase.

Proponents' Testimony:

DAVE DITZEL, representing the locomotive engineers, stated HB 705 is a simple bill which will take care of a problem the engineers have experienced in Montana. When an engineer has been involved in an accident as a kind of fluke, it will eliminate the problems he might have with his own insurance. Mr. Ditzel also submitted a letter from PAT KEIM, representing Burlington Northern Railroad, in support of HB 705. (SEE EXHIBIT 15)